

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
)
METROPOLITAN EDISON)
COMPANY, et al.,)
)
(Three Mile Island)
Nuclear Station, Unit)
No. 1))

Docket No. 50-289
(Restart)

64

UNION OF CONCERNED SCIENTISTS' RESPONSE
TO BOARD ORDER OF AUGUST 20, 1980

By Order dated August 20, 1980, the Board addressed the issues raised at the Prehearing Conference of August 12 and 13. The Board noted that it tentatively agreed with UCS's position that we are entitled to responses to our summary judgment motions, but did not establish a date for such responses. Because the hearing date is fast approaching, UCS hereby requests the Board to set a deadline of September 10 for responses to the motion on Contention No. 5. Since the Staff and licensee have had the motion since approximately August 5, that deadline is not unduly burdensome. If responses are delayed much beyond that date, their usefulness to UCS in preparing its case is greatly diminished.

Because submittal of testimony on UCS Contention No. 13 has been delayed, a later deadline for responses to that motion is appropriate; we would suggest October 1. It should be noted that even if the staff does not yet have a position on the ultimate merits of the UCS Contention, it is in a position to say whether

DS03
50/1

and why it disputes any of UCS's assertions of material fact and should be directed to do so.

Respectfully submitted,

Ellyn R. Weiss
Harmon & Weiss
1725 I Street, N.W.
Suite 506
Washington, D.C. 20006
(202) 833-9070

Counsel for Union of Concerned Scientists

Dated: August 29, 1980

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
METROPOLITAN EDISON)
COMPANY, et al.,)
)
(Three Mile Island)
Nuclear Station, Unit)
No. 1))
_____)

GA
Docket No. 50-289
(Restart)

CERTIFICATE OF SERVICE

I hereby certify that copies of the "Union of Concerned Scientists' Response to Board Order of August 20, 1980," have been hand-delivered and mailed postage pre-paid this 29th day of August, 1980, to the following parties:

Secretary of the Commission
ATTN: Chief, Docketing & Service
Section
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

* Ivan W. Smith, Esquire
Atomic Safety & Licensing Board
Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Walter H. Jordan
881 W. Outer Drive
Oak Ridge, Tennessee 37830

Dr. Linda W. Little
5000 Hermitage Drive
Raleigh, North Carolina 276

* George F. Trowbridge, Esq.
Shaw, Pittman, Potts &
Trowbridge
1800 "M" Street, N.W.
Washington, D.C. 20006

* James Tourtellotte, Esq.
Office of the Executive
Legal Director
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Ellyn R. Weiss

*hand-delivered